

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In Re:

KENNETH IRA STARR, et al.,

Debtors.

ROBERT L. GELTZER, as Trustee of
the Estate of **KENNETH IRA STARR, et al.,**

Plaintiff,

-against-

JAY FAIRES,

Defendant.

Case No. 11-10219 (ALG)

Chapter 7

**Jointly Administered
Substantively Consolidated**

Adv. Pro. No. 14-01800 (ALG)

BC 14,0182

DEFAULT JUDGMENT

The above-captioned adversary proceeding was commenced by the filing on January 31, 2014, and serving on February 6, 2014, a Summons and Notice of Pretrial Conference and a Complaint (collectively, the “Complaint”) upon Jay Faires (the “Defaulting Defendant”); and the Defaulting Defendant having failed to answer or move with respect to the Complaint; and the Defaulting Defendant having failed to appear at the pre-trial conference held in this Court on March 26, 2014; and the Defaulting Defendant’s default having been noted on the record of the pre-trial conference held on March 26, 2014; and on June 3, 2014, Robert L. Geltzer, Chapter 7 trustee (the “Trustee”) of Kenneth Ira Starr, et al., the above-captioned debtors (the “Debtors”), submitted a Declaration pursuant to Rule 55 of the Federal Rules of Civil Procedure, as made applicable by Rule 7055 of the Federal Rules of Bankruptcy Procedure, and Rule 7055-1 of the Local Rules of the Bankruptcy Court for the Southern District of New York, for the issuance of Certificate of Default against the Defaulting Defendant [ECF 7]; and on August 8, 2014, the Clerk of the Court entered a Certificate of Default against the Defaulting Defendant [ECF 8]; and the amount sought in the Complaint was for the sum certain of \$30,564.97; and upon the October 1, 2014 Affidavit of Vinay Agarwal, senior manager at Davis Graber Plotzker & Ward, LLP, the

Court-retained accountants to the Trustee, annexed to the Trustee's Notice of Presentment; and it appearing that due notice having been given, and no objection to the relief sought herein having been interposed; and no further notice being necessary nor required; it is hereby

ORDERED, ADJUDGED AND DECREED that judgment be entered in favor of the Trustee of the estate of Kenneth Ira Starr, et al. and against the Defaulting Defendant in the sum of \$30,564.97; and it is further

ORDERED, ADJUDGED AND DECREED that the Trustee has all of the rights and remedies afforded to a judgment creditor by law; and it is further

ORDERED, ADJUDGED AND DECREED that the Trustee may enforce this judgment against the Defaulting Defendant, as allowed by applicable law.

Dated: New York, New York
November 7, 2014

s/Allan L. Gropper
HONORABLE ALLAN L. GROPPER
UNITED STATES BANKRUPTCY JUDGE